IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT APPLICATION OF : Confirmation No. 4786

Marc E. Feinberg : Examiner: Melissa K. Ryckman

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Application No. 10/674,653 : Group Art Unit 3773

Filed: 09/30/2003

For: TISSUE APPROXIMATION DEVICE

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Non-Compliant Amendment (37 CFR 1.121) dated August 4, 2009, enclosed is a properly identified NEW SHEET drawing No. 12. The Amendment filed June 15, 2009 should now be found to be fully compliant with the rules.

Respectfully submitted,

Date: August 10, 2009

Michael J. Mlotkowski Registration No. 33,020

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